



Phone: (215) 569-5576
Fax: (215) 832-5576
Email: LBarson@BlankRome.com

December 9, 2016

VIA ECF and E-MAIL

Honorable Sidney A. Fitzwater
United States District Court
Northern District of Texas, Dallas Division
1100 Commerce Street, Room 1528
Dallas, Texas 75242-1003

Re: 1621 Coit Road Realty, LLC, *et al.* v. Midwest TX Realty, LLC, *et al.*,
Civil Action No. 3:16-CV-3337-D

Dear Judge Fitzwater:

We are counsel to Midwest TX Realty, LLC, a defendant in the above-captioned civil action. We write to inform you that Pharmerica Corporation, the company that supplied and operated the pharmacy at the Mesa Hills Specialty Hospital, removed the pharmaceutical products and fully vacated that pharmacy today. As a direct consequence thereof, Midwest is unable to provide necessary patient care at that hospital. Midwest was compelled to make the difficult but necessary decision to begin the process of discharging the patients at the Mesa Hills facility in order to protect their safety, health and well-being.

Further, as of this writing, it appears likely that Midwest may be obligated to discharge the patients at its Midwest City Specialty Hospital over the course of this weekend due to an inability to completely fund payroll, as well as a vendor payment issue that directly impacts essential laboratory services at that hospital.

While Midwest does not necessarily view this temporary condition as a cessation of operations at these facilities, we nevertheless felt it was appropriate to inform the Court of these developments in an abundance of caution. As the Court may appreciate, these events are such that they require careful and serious attention on the part of our client. In that regard, Midwest may seek appropriate relief from this Court as soon as Monday, December 12, 2016.

BLANK



ROME LLP
COUNSELORS AT LAW

December 9, 2016

Page 2

We remain available should Your Honor have any questions.

Respectfully Submitted,

Leon R. Barson

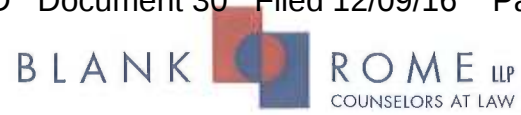
cc via First Class Mail and e-mail:

Tracey R. Wallace, Esq.
SCHIFF HARDIN LLP
300 Crescent Court, Suite 400
Dallas, TX 75201
twallace@schiffhardin.com
(Attorneys for Plaintiffs)

David C. Giles, Esq.
Mir Y. Ali, Esq.
SCHIFF HARDIN LLP
233 S Wacker Drive, Suite 6600
Chicago, IL 60606
dgiles@schiffhardin.com
mali@schiffhardin.com
(Attorneys for Plaintiffs)

David Grant Cooks, Esq.
Andy Nikolopoulos, Esq.
FOX ROTHSCHILD LLP
Two Lincoln Centre
5420 LBJ Freeway, Suite 1200
Dallas, Texas 75240
DCrooks@foxrothschild.com
ANikolopoulos@foxrothschild.com
(Attorneys for Josef Neuman and Oscar Rosenberg)

Buffey E. Klein, Esq.
HUSCH BLACKWELL
2001 Ross Avenue Suite 2000
Dallas, Texas 75201-2995
buffey.klein@huschblackwell.com
(Attorneys for Capital Finance, LLC)



December 9, 2016

Page 3

Joel L. Perrell Jr., Esq.
MILES & STOCKBRIDGE P.C.
100 Light Street, 10th FL
Baltimore, MD 21202
jperrell@milesstockbridge.com
(Attorneys for Capital Finance, LLC)